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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: S.L. Eikenberg

Attorney Docket No.: USAM117030

Application No.: 09/828,601

Filed: April 6, 2001

Examiner: --

Title: EASY ACCESS DENTAL FIELD OPERATING AND TREATMENT  
SYSTEM HAVING OVER-THE-PATIENT DELIVERY



DECLARATION IN LIEU OF OATH OF  
STEVEN L. EIKENBERG UNDER 37 C.F.R. § 1.56

TO THE COMMISSIONER FOR PATENTS:

I, Dr. Steven L. Eikenberg, state as follows:

1. I am employed by the United States Army, which will become the eventual assignee of the above-referenced U.S. patent application.

2. I am the named inventor listed on the above-referenced U.S. patent application.

3. Prior to filing the above-referenced patent application, I was involved in obtaining a few prototypes used for experimentation. These prototypes were obtained under the conditions summarized as follows.

4. On or about 07 July 1999 through 13 August 1999 (multiple levels of paperwork and multiple signature requirements make it difficult to determine date with specificity): USADRD (United States Army Dental Research Detachment) executed a Supply Request Form to Martin-Peterson Company requesting "custom dental cases fabricated per and customer specified essential characteristics wood prototype. Item to be made from gauge 304 #4 stainless steel." (see attached copy of purchase request appearing as page A1 of the Appendix).

5. On or about 27 July 1999: Martin Peterson Company, Inc. executed Quote #JGS99034 to the Tri-Service Research Detachment -- Great Lakes for "3 [three] custom dental

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

cases per customer wood prototype an spec sheet except made from 13Ga 304 #4 S.S." (see attached copy of Quote #JGS99034 appearing as page A2 of the Appendix).

6. On or about 10 August 1999: A Procurement Order was issued by U.S. Army Medical Research Acquisition Activity to Martin-Peterson Company for 3 (three) "custom dental cases fabricated per and customer specified essential characteristics wood prototype. Item to be made from 16 gauge 304#4 Stainless Steel." (see attached copy of Procurement Order appearing as page A3 of the Appendix).

7. On or about 09 September 1999: A Shipping Ticket was executed by Martin Peterson, Co. Inc. for "3 Custom Dental Cases." (see attached copy of Shipping Ticket appearing as page A4 of the Appendix).

8. On or about 10 April 2000 through 11 April 2000 (multiple levels of paperwork and multiple signature requirements make it difficult to determine date with specificity): USADRD (United States Army Dental Research Detachment) executed a Supply Request Form to Martin-Peterson Company requesting "custom built dental delivery system cases for prototype USADRD DEFTOS." (see attached copy of Supply Request Form appearing as page B1 of the Appendix).

9. On or about 05 April 2000: Martin Peterson Company, Inc. executed Quote #00JGS055 to the Tri-Service Research Detachment -- Great Lakes for "1 [one] Custom Delivery System Cases For Prototype Field Treatment And Operating System; 5 [five] Custom Delivery System Cases for Prototype Field Treatment and Operating System; 7 [seven] Custom Delivery System Cases for Prototype Field Treatment and Operating System." (see attached copy of Quote #00JGS055 appearing as page B2 of the Appendix).

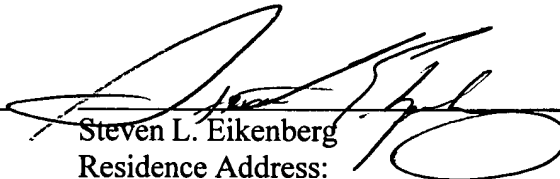
10. On or about 23 August 2000: Martin Peterson Company, Inc. executed an Invoice having Order #DAMD1700P0538 to the US Army Dental Research Detachment -- Great Lakes for "7 [seven] Custom Dental Laser Cases" having a Section B addendum listing Supplies

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or Services and Prices which recited "custom built dental delivery system case FFP0 Custom Built Delivery System Cases for Prototype USADRD DEFTOS . . . ." (see attached copy of Invoice having Order #DAMD1700P0538 appearing as pages B3-B4 of the Appendix).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 15 May 2001

  
Steven L. Eikenberg  
Residence Address:  
3421 - 109th Street  
Pleasant Prairie, Wisconsin 53158

DRC:sbk

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1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100



Attn: LTC Steven Eikenberg

Quote #	JGS99034
Date	7/27/99
Delivery	3 Weeks
Ship Via	UPS
F.O.B	Kenosha
Terms	Net 30
Revised	

3	Custom Dental Cases per customer wood prototype and spec sheet except made from 16Ga. 304 # 4 S.S.	\$798.00	\$2,394.00
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**Quote Good for 60 Days**

<b>Total Price</b>	<b>\$2,394.00</b>
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**BY: Jim Savaglio**

**Date:** 7/27/99

**PROCUREMENT FOR**  
**CARD**

DIV/DEPT  
17

ESTIMATED DELIVERY DATE  
10-SEP-99

CONTROL No  
9223 4013

**CONTRACTOR:**  
  
MARTIN-PETERSEN CO  
  
9625-55TH ST  
KENOSHA WI 53144  
JIM SAVIGLIO 414-658-1326

**ORDER ISSUED BY:**  
  
U.S. ARMY MEDICAL RESEARCH  
ACQUISITION ACTIVITY  
ATTN: MCMR-RMA  
FORT DETRICK, MD 21702-5014

**SHIP TO:**  
DENTAL RESEARCH DETACHMENT 17

**PAYMENT WILL BE MADE BY:**  
DEFENSE FINANCE & ACCOUNTING SERVICE  
ATTN: DFAS-SA/FPAM (Ms Shu-Li Shelton)  
500 McCollough Ave  
San Antonio, TX 78215-2100  
PHONE (210) 527-8318

**ACCOUNTING & APPROPRIATION DATA (CHECK APPLICABLE FUNDS)**

2192040 9748106 633002.840GA 26ER 9ZBC S18064 DLL

Commitment No	Item	Fy	Apc	Eor	Qty	Price	Commitment U
10YCU9223N031	CUSTOM DENTAL CASES FABRICATED PER AND CUSTOMER SPECIFIED ESSENTIAL CHARACTERISTICS WOOD PROTOTYPE. ITEM TO BE MADE FROM 16 GAUGE 304#4 STAINLESS STEEL.	99	9ZBC	26ER	3	798	2394 EA

I CERTIFY THAT THE PRICES SHOWN ARE CONSIDERED FAIR AND REASONABLE )

**Total**

(BUYERS NAME)

2394

# SHIPPING TICKET

MARTIN PETERSEN CO. INC.  
9625 55th Street  
KENOSHA WI. 53144  
Phone 414-658-1326

Customer

Ship To

GLNB

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date 09/09/99 PO Number

Ship\_Via CUST P/U/VISA

JOB-Phase Qty Shipped

Description

M91394-0

3

CUSTOM DENTAL CASES

RECEIVED BY

*[Signature]*

DATE 9/10/99







**Martin Petersen Company, Inc.**

*Mechanical Contractors, Fabricators, & Engineers.*

**(Custom Stainless Steel Manufacturers for 46 years)**

**- (ASME Tank Manufacturers)**

9625 55th Street - Kenosha, WI 53144 - 414.858.1326 - 414.858.0694 Fax

To: Great Lakes Army Dental Research

Quote #	00JGS055
Date	4/5/2000
Delivery	4 Weeks
Ship Via	best way
F.O.B	Kenosha
Terms	Net 30
Revised	4/10/2000

Attn: LTC Steven Eikenberg

Qty	Description	Unit Price	Total Price
1	Custom Delivery System Cases for Prototype Field Treatment and Operating System	\$ 2,680.00	\$ 2,680.00
5	Custom Delivery System Cases for Prototype Field Treatment and Operating System	\$ 1,448.00	\$ 7,240.00
7	Custom Delivery System Cases for Prototype Field Treatment and Operating System	\$ 1,373.00	\$ 9,611.00

Quote Good for 60 Days

Total Price

BY: Jim Savaglio

Date: 4/10/2000



Remit To:

Martin Petersen Company Inc.

P.O. Box 686366

Milwaukee, WI 53268-6366

# INVOICE

Sold To:

US ARMY DENTAL RESEARCH DETACHMENT  
C/O NAVAL DENTAL RESEARCH INSTITUTE  
310B B ST BLDG AHH  
GREAT LAKES IL 60088

Date: 08/23/2000

Order #: DAMD1700P0538

Invoice #: 201405M

Terms: net 30

Ref# M00903

Monthly statements no longer rendered. Please pay from this invoice

A Service charge of 1 1/2% per month (18% per Annum) will be added to past due invoices.

Qty	Description	Unit Price	Total
7	CUSTOM DENTAL LASER CASES	1373.00	9611.00
Invoice Total			9611.00

Office at 9625 55th Street Kenosha, WI 53144 Phone 262.658.1326 Fax 262.658.0

## SECTION B Supplies or Services and Prices

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001		7.00	Each	\$1.373.00	\$9,611.00
	CUSTOM BUILT DENTAL DELIVERY SYSTEM CASE				
	FFP - CUSTOM BUILT DENTAL DELIVERY SYSTEM CASES FOR				
	PROTOTYPE USADRD DEFTOS				
	PURCHASE REQUEST NUMBER W80YCU-0102-N080				

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NET AMT	\$9,611.00
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ACRN AA Funded Amount	\$9,611.00
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